



**Department of Revenue, Marijuana Enforcement Division**  
**HB 19-1234 (“Regulated Marijuana Delivery”) Work Group**  
**Friday, August 30, 2019**

*The information contained herein is for purposes of stakeholder discussion and feedback to inform the Division’s rulemaking required for implementation of [House Bill 19-1234 \(“Regulated Marijuana Delivery”\)](#). Please note the proposed amendments are presented under a new rule series pursuant to anticipated changes required by Senate Bill 19-224 (“Sunset Regulated Marijuana”). Further, the content below is limited to sections of current rules that are subject to proposed amendments. The entirety of the proposed new rule series will be presented during the Division’s rulemaking work group meetings for implementation of HB19-224.*

**2-205 – Fees**

F. Other Fees. The following other fees apply:

1. Permits.

- a. Off Premises Storage Permit – \$1,500.00
- b. Medical Marijuana Transporter Off Premises Storage Permit – \$2,200.00
- c. Centralized Distribution Permit Initial and Renewal Fee – \$20.00
- d. R&D Co-Location Permit Initial and Renewal Fee – \$50.00

e. Delivery Permit:

- i. Initial Fee Business License that will expire in 6 months or less - \$2,000.00.
- ii. Initial Fee Business License that will expire in more than 6 months - \$4,000.00.
- iii. All Renewals - \$2,000.00.

**3-250 – Selling and Serving, Regulated Marijuana and Regulated Marijuana Product - Hours of Operation**

- A. Hours of Operation. Regulated Marijuana Businesses shall not sell, ~~or serve,~~ accept orders for delivery or deliver Regulated Marijuana ~~or Regulated Marijuana Product~~ at any time other than between the hours of 8:00 am and 12:00 am, Mountain Time, Monday through Sunday.
- B. Local Jurisdictions May Further Restrict Hours. Nothing in this Rule ~~shall~~ prohibits a local jurisdiction from further restricting hours of operation within its jurisdiction.

### 3-405 – Identification

#### A. Medical Marijuana Transfers.

1. Necessary Identification. Medical Marijuana Stores may~~shall~~ only Transfer Medical Marijuana to any patient or caregiver who is permitted to deliver Medical Marijuana to homebound patients as permitted by section 25-1.5-106(9)(e), C.R.S., if the patient or caregiver can produce:
  - a. Proof of identification that complies with subparagraphs C and D of this Rule; and
  - b. Either a valid patient registry card, including any valid and verified digital registry card, or a copy of a current and complete new application for the Medical Marijuana registry that is documented by proof of submittal to the Colorado Department of Public Health and Environment within the preceding thirty-five days.
2. Physical Inspection Required. A Licensee must physically view and inspect the patient or caregiver's registry card, including any valid and verified digital registry card, and proof of identification to confirm the information contained on the documents and also to judge the authenticity of the documents presented.

#### B. Retail Marijuana Transfers. A Retail Marijuana Store or a Retail Marijuana Hospitality and Sales Business may only ~~shall refuse the~~ Transfer of Retail Marijuana, ~~Retail Marijuana Concentrate, or Retail Marijuana Product~~ to a consumer that first produces ~~anyone, unless such person can produce~~ a form of identification that complies with subparagraphs C and D of this Rule establishing ~~showing that~~ the consumer/purchaser is 21 years of age or older

1. Fraudulent Identification and Licensee's Burden. Pursuant to section 44-10-601(3)(b)(I), C.R.S., if a person under twenty-one years of age presents a fraudulent proof of age to a Retail Marijuana Store, any action based upon the fraudulent proof of age shall not be grounds for the revocation or suspension of a license. To establish that the identification presented by the minor was a fraudulent proof of age, the Licensee must establish that:
  - a. The minor presented fraudulent identification of the type established in subparagraph C below;
  - b. During the transaction in which Retail Marijuana, ~~Retail Marijuana Concentrate, or Retail Marijuana Product~~ was Transferred to the minor, the Licensee inspected the identification provided, compared the identification to the person presenting the identification, and ~~referenced and~~ inspected:
    - i. ~~a~~An identification book issued within the past three years,
    - ii. ~~A~~ner other electronic scanner, or
    - iii. ID checking software or other device used in the inspection of identification, ~~issued within the past three years, which contained a sample of the specific kind of identification presented for compliance purposes.~~

#### C. Forms of Valid Identification. If the identification presented to a Licensee contains a picture and date of birth, including any valid and verified digital identification, the kind and type of identification deemed adequate shall be limited to the following:

1. An operator's, chauffeur's, or similar type driver's license, including a temporary license, issued by any state within the United States, District of Columbia, or any U.S. territory;
  2. An identification card, including a temporary identification card, issued by any state within the United States, District of Columbia, or any U.S. territory, for the purpose of proof of age using requirements similar to those in sections 42-2-302 and 42-2-303, C.R.S.;
  3. A United States military identification card or any other identification card issued by the United States government including but not limited to a permanent resident card, alien registration card, or consular card;
  4. A passport or passport identification card; or
  5. An Enrollment card issued by the governing authority of a federally recognized Indian tribe, if the enrollment card incorporates proof of age requirements similar to sections 42-2-302 and 42-2-303, C.R.S.
- D. Identification must be valid. A Licensee shall refuse the Transfer of Regulated Marijuana if a person produces identification that is invalid or expired.

### **3-505 - Responsible Vendor Program**

- A. General Standards for a Regulated Marijuana Businesses Designated a Responsible Vendor.
1. Pursuant to sections 44-10-1201 and 44-10-1202, C.R.S., a Medical Marijuana Store, a Retail Marijuana Store, [a Medical Marijuana Transporter](#), [a Retail Marijuana Transporter](#) or a Retail Marijuana Hospitality and Sales Business shall comply with this Rule to be designated a “responsible vendor” of Regulated Marijuana.
  2. To be designated a “responsible vendor” all [Controlling Beneficial Owners with day-to-day operational control of the Licensed Premises](#), managers and employees involved in the handling and Transfer of Regulated Marijuana shall attend and successfully complete a responsible vendor program.
  3. Once a Licensee is designated a “responsible vendor,” all new employees involved in the handling and Transfer of Regulated Marijuana shall successfully complete the training described in this Rule within 90 days of hire.
  4. After initial successful completion of a responsible vendor program, each [Controlling Beneficial Owner with day-to-day operational control of the Licensed Premises](#), manager and employee of a Regulated Marijuana Businesses shall successfully complete the program once every two years thereafter to maintain designation as a “responsible vendor.”
- B. General Standards for a Responsible Vendor Program Provider.
1. An application for approval of a responsible vendor program pursuant to sections 44-10-1201 or 44-10-1202, C.R.S., shall be made upon current forms prescribed by the Division [and in accordance with the 200 Series Rules](#).

- ~~2. Upon request by the Division, a Person seeking approval of its responsible vendor program shall timely provide any additional information required to process and fully review the responsible vendor program.~~
- ~~3. All information shall be submitted in a full, faithful, truthful, and fair manner. The Division may deny the approval of a responsible vendor program where the responsible vendor program provider made misstatements, omissions, misrepresentations, or untruths in the application.~~
24. Changes to an Approved Training Program. Within thirty (30) days of any change to the Colorado Marijuana Code, or the rules promulgated thereunder, a Responsible Vendor Program Provider shall update its responsible vendor program curriculum to conform with any such changes.

B. Certification Training Program Standards.

1. No owner or employee of a responsible vendor program ~~may~~ have an Owner's ~~li~~interest in a Regulated Marijuana Business.
2. A Responsible Vendor Program Provider shall submit their responsible vendor program for approval every two years in order to maintain designation as a Responsible Vendor Program Provider. The renewal application must be submitted within sixty (60) days of the expiration of the Approved Training Program.
3. The responsible vendor program shall include at least two hours of instruction time.
4. Classroom Setting. The responsible vendor program shall be taught in a classroom setting where the instructor is able to verify the identification of each individual attending the Approved Training Program and certify completion of the Approved Training Program by the individual identified.
  - a. ~~Online Instruction.~~ An Approved Training Program may be delivered in an on-line or virtual based classroom setting provided the Responsible Vendor Program Provider utilizes a learning management system or other means to verify the identification of each individual attending the responsible vendor program. For purposes of this Rule, a learning management system means the platform or database used to monitor participation, attendance, and to deliver core curriculum materials;
  - b. Any Approved Training Program delivered in an on-line or virtual based classroom setting must comply with the core curriculum and assessment requirements in this Rule 3-505.
5. The Responsible Vendor Program Provider shall maintain its training records in a format that is readily understood by a reasonably prudent business person during the applicable year and for the preceding three years. The Responsible Vendor Program Provider shall make the records available for inspection by the licensing authority upon request during normal business hours.
6. The responsible vendor program shall provide to the Licensee written or electronic documentation of attendance and successful passage of a test on the knowledge of the required curriculum for each attendee.

- a. Successful completion of an Approved Training Program requires a minimum passage score of 70% or better. A Responsible Vendor Program Provider may provide a reasonable testing accommodation or modification to a Licensee participant, provided the results of the test are documented and meet the minimum passing score requirement.
  - 7. A Responsible Vendor Program Provider shall solicit effectiveness evaluations from individuals who have completed their program.
- C. Certification Training Class Core Curriculum. When considering whether to approve a responsible vendor program, the Division, after consulting with the Colorado Department of Public Health and Environment, will consider the following criteria:
  - 1. Discussion concerning the health and safety concerns of marijuana use. Training shall include:
    - a. Health effects of marijuana use, including but not limited to the effects in connection with pregnancy and breast-feeding;
    - b. Information on serving size, THC and cannabinoid potency, and impairment;
    - c. The amount of time to feel impairment based on the type of marijuana or marijuana product;
    - d. Recognizing signs of impairment, including polydrug impairment;
    - e. The amount of time to wait before driving after marijuana use based on the type of marijuana or marijuana product;
    - f. Safe storage of marijuana;
    - g. Responsible use ~~and storage~~ of marijuana;
    - h. Appropriate responses in the event of unintentional or over-consumption of marijuana and marijuana product, including but not limited to access to the appropriate resources provided by state and local public health authorities.
  - 2. Transfers to minors. Training shall cover all pertinent Colorado statutes, rules, and regulations.
  - 3. Quantity limitations on Transfers to consumers. Training shall cover all pertinent Colorado statutes, rules, and regulations.
  - 4. Acceptable forms of Identification. Training shall include:
    - a. How to check identification;
    - b. Spotting false identification;
    - c. Patient Registry Cards issued by the Colorado Department of Public Health and Environment and equivalent patient verification documents;
    - d. Provisions for confiscating fraudulent identifications; and

- e. Common mistakes made in verification.
5. Delivery to patients and consumers. Training must include all Colorado statutes and rules related to delivery of Regulated Marijuana to patients and consumers pursuant to a delivery permit. This training must include, but is not limited to:
- a. Safely conducting deliveries;
  - b. Verification of identification and patient registry cards required before delivering Regulated Marijuana to a patient or consumer;
  - c. Maintaining confidentiality of patients' and consumers' personally identifiable information; and
  - d. Strategies to de-escalate potentially dangerous situations.
6. Other key state laws and rules that apply to Regulated Marijuana Businesses and their owners, managers, and employees. Training shall include:
- a. Local and state licensing and enforcement;
  - b. Compliance with all Inventory Tracking System regulations;
  - c. Administrative and criminal liability;
  - d. License sanctions and court sanctions;
  - e. Waste handling, management, and disposal;
  - f. Health and safety standards;
  - g. Patrons prohibited from bringing marijuana onto licensed premises, other than Marijuana Hospitality Businesses;
  - h. Permitted hours of sale;
  - i. Licensee security and surveillance requirements;
  - j. Permitting inspections by state and local licensing and enforcement authorities;
  - k. Licensee responsibility for activities occurring within licensed premises;
  - l. Maintenance of records;
  - m. Privacy issues;
  - n. Applicable laws and regulations concerning Transfers to patients and consumers;
  - o. Packaging and labeling requirements for Transfers to patients and consumers; and
  - p. How to access the Medical Marijuana Patient Registry website and how to sign up for the Registry's voluntary email list;

76. Evaluation of program participants. The Responsible Vendor Program Provider must establish that it has an adequate mechanism for evaluating attendees' successful completion of the Approved Training Program.

### **600 Series – Transport, ~~and Storage~~ and Delivery Permits**

#### **3-605 – Transport: All Regulated Marijuana Establishments**

##### M. Transporter Delivery to Patients or Consumers.

1. Prior to January 2, 2021, all Medical Marijuana Transporters and Retail Marijuana Transporters are prohibited from delivering Regulated Marijuana to patients and customers.
2. After January 2, 2021, Medical Marijuana Transporters that have a valid delivery permit may deliver Medical Marijuana to patients pursuant to a contract with Medical Marijuana Stores that also possess a valid delivery permit.
3. After January 2, 2021, only Retail Marijuana Transporters that possess a valid delivery permit may deliver Retail Marijuana to consumers pursuant to a contract with Retail Marijuana Stores that also possess a valid delivery permit.
4. Any violation of subparagraph M of this Rule is a license violation affecting public safety.

#### **3-610 – Off-Premises Storage of Regulated Marijuana and Regulated Marijuana Product: All Regulated Marijuana Businesses**

- E. Privileges and Restrictions. The permitted off-premises storage facility may be utilized for storage only. A Medical Marijuana Store or a Retail Marijuana Store may use its own off-premises storage facility for packaging and labeling of orders for delivery to a patient or a consumer that were received by the Medical Marijuana Store or Retail Marijuana Store. A Regulated Marijuana Business may not Transfer, cultivate, manufacture, process, test, research, or consume any Regulated Marijuana ~~or Regulated Marijuana Product~~ within the premises of the permitted off-premises storage facility.

#### **Basis and Purpose – 3-615**

The statutory authority for this rule includes but is not limited to sections, 44-10-203(1)(dd)(l)-(XV), 44-10-501(11)(a)-(m), 44-10-505(5)(a)-(j), 44-10-601(13)(a)-(m), and 44-10-605(5)(a)-(j), C.R.S. The purpose of this rule is to establish the requirements for a Medical Marijuana Store, a Retail Marijuana Store, a Medical Marijuana Transporter and a Retail Marijuana Transporter to obtain a delivery permit and to deliver Regulated Marijuana to patients or consumers at a private residence.

#### **3-615 – Regulated Marijuana Delivery Permits**

- A. Application, Qualification and Eligibility for Delivery Permit.

1. Beginning January 2, 2020, a Medical Marijuana Store may apply for a delivery permit. The application shall be made on Division forms and in accordance with the 2-200 Series of these Rules. The delivery permit application can be submitted contemporaneously with a Medical Marijuana Store initial or renewal application or it can be separate from a Medical Marijuana Store application but the application must identify the Medical Marijuana Store(s) seeking to obtain the delivery permit.
  2. Beginning January 2, 2021, a Retail Marijuana Store, a Medical Marijuana Transporter, and a Retail Marijuana Transporter may apply for a delivery permit. The delivery permit application can be submitted contemporaneously with a Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter initial or renewal application or it can be separate from a Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter application but the application must identify the Retail Marijuana Store(s), Medical Marijuana Transporter(s), or Retail Marijuana Transporter(s) seeking to obtain the delivery permit.
  3. Prior to the State Licensing Authority issuing an Applicant a delivery permit, the Applicant must establish the local licensing authority/local jurisdiction where the Applicant is located and proposes to deliver Regulated Marijuana:
    - a. By ordinance or resolution has permitted delivery of Regulated Marijuana within the jurisdiction, and
    - b. Is currently accepting applications for delivery permits in the jurisdiction, if required.
  4. Multiple Medical Marijuana Stores, Retail Marijuana Stores, Medical Marijuana Transporters or Retail Marijuana Transporters with the same Controlling Beneficial Owners that operate in the same local jurisdiction may obtain one delivery permit that allows all Medical Marijuana Stores, all Retail Marijuana Stores, all Medical Marijuana Transporters or all Retail Marijuana Transporters in that jurisdiction to make deliveries to patients or consumers.
  5. Delivery Permit Renewal.
    - a. A delivery permit must be renewed annually with the Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter license it accompanies.
    - b. Length of Delivery Permit.
      - i. A delivery permit issued with an initial or renewal license application will be valid for one year and will expire at the same time as the license for the associated Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter.
      - ii. A delivery permit that is not issued with an initial or renewal application will be valid for less than one year to align with the license expiration date of the related Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter. In all years after the first year, such a delivery permit will be valid for one year.
- B. Responsible Vendor Certification Required. Any Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter that intends to apply for a delivery



permit must first obtain a responsible vendor designation pursuant to 44-10-1201, 44-10-1202, C.R.S., and Rule 3-505.

C. Inventory Tracking System Required. A Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter must track all Regulated Marijuana until delivered to a patient or a consumer as required by Rule 5-130. This includes the use of a transport manifest.

D. Delivery Motor Vehicle Requirements.

1. Any motor vehicle used for the delivery of Regulated Marijuana must be owned or leased by the Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter, must be registered in the State of Colorado and must be insured.

2. Any motor vehicle used for delivery of Regulated Marijuana must have a vehicle tracking system installed that is capable of recording the route taken by the vehicle while conducting deliveries that can be accessed remotely by the Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail .

3. Any motor vehicle used for the delivery of Regulated Marijuana must not have any external markings, words or symbols that indicate the motor vehicle is used for delivery of Regulated Marijuana or is owned or leased by a Medical Marijuana Business or a Retail Marijuana Business.

4. Regulated Marijuana must not be visible from outside the motor vehicle.

5. Motor vehicle security requirements include but are not limited to:

a. A vehicle security alarm system, and

b. A secure, locked, opaque storage compartment securely affixed to the vehicle for the purpose of securing Regulated Marijuana.

6. Video surveillance requirements.

#### **WORK GROUP DISCUSSION**

***Examples: vehicle interior surveillance, surveillance of the secure locked storage compartment, dash camera, any other surveillance requirements.***

7. A motor vehicle that is being used to deliver Regulated Marijuana to patients or consumers shall not contain more than \$5,000.00 in retail value of Regulated Marijuana.

8. A motor vehicle that is delivering Regulated Marijuana must not leave the State of Colorado while any amount of Regulated Marijuana is in the motor vehicle.

9. Only persons licensed by the State Licensing Authority and identified on the transport manifest may occupy a motor vehicle while that vehicle is conducting deliveries of Regulated Marijuana.

E. Delivery Order Requirements.

1. A Medical Marijuana Store or a Retail Marijuana Store that has a valid delivery permit may take orders for delivery of Regulated Marijuana to patients or consumers at a private residence. Orders for delivery of Regulated Marijuana may be made telephonically, on the Medical Marijuana Store's website, on the Retail Marijuana Store's website or using an online platform provider.
2. For a Medical Marijuana Store or Retail Marijuana Store that utilizes an online platform provider:
  - a. The Online platform provider must require that the patient or consumer choose a Medical Marijuana Store or Retail Marijuana Store before displaying the price of Regulated Marijuana to the patient or consumer; and
  - b. The Medical Marijuana Store or Retail Marijuana Store must receive verification that there has not already been a delivery of Regulated Marijuana to that patient, parent or guardian, consumer, or private residence through the online platform provider that same business day.
3. All delivery orders must document the following information which must be maintained pursuant to Rule 3-905 by the Medical Marijuana Store or the Retail Marijuana Store:
  - a. The name and date of birth of the patient or consumer placing the delivery order,
  - b. The address of the private residence where the order will be delivered,
  - c. For Medical Marijuana delivery orders only, the registration number reflected on the patient's registry identification card, and
  - d. For Medical Marijuana delivery orders only, if the patient is under eighteen years of age, the parent or guardian designated as the patient's primary caregiver, and if applicable, the registration number of the primary caregiver.
4. A Medical Marijuana Store or a Retail Marijuana Store may accept payment for delivery orders using credit or debit card pre-payments or payment on delivery, gift card pre-payments or payments on delivery, or pre-payment accounts established with a Medical Marijuana Store or Retail Marijuana Store.
5. Regulated Marijuana must be weighed, packaged, prepared and labeled for delivery on the Licensed Premises of a Medical Marijuana Store or Retail Marijuana Store or at their off-premises storage facility after receipt of a delivery order. Regulated Marijuana cannot be placed into a delivery vehicle until after an order has been received and the Regulated Marijuana has been packaged and labeled for delivery to the patient or consumer as required by 3-1000 Series Rules.
6. Medical Marijuana Transporters and Retail Marijuana Transporters may not take delivery orders but may deliver Regulated Marijuana on behalf of Medical Marijuana Stores or Retail Marijuana Stores pursuant to a contract with the Medical Marijuana Store or Retail Marijuana provided that the stores also hold a valid delivery permit. The Medical Marijuana Store and Medical Marijuana Transporter must maintain copies of all contracts for delivery pursuant to Rule 3-905. The Retail Marijuana Store and Retail Marijuana Transporter must maintain copies of all contracts for delivery pursuant to Rule 3-905.

F. Regulated Marijuana Delivery Requirements.

1. A Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter may not deliver Regulated Marijuana to patients, parents, guardians, or consumers while also transporting Regulated Marijuana between Licensed Premises in the same motor vehicle.
2. An Owner Licensee or Employee Licensee delivering Regulated Marijuana may not open any Container of Regulated Marijuana in the motor vehicle and is prohibited from packaging Regulated Marijuana once the motor vehicle has departed from the Licensed Premise of a Medical Marijuana Store or Retail Marijuana Store.
3. A Medical Marijuana Store or Retail Marijuana Store shall not accept delivery orders for Regulated Marijuana Product that is perishable unless the motor vehicle that will make the delivery has the ability to secure the Regulated Marijuana Product in climate controlled storage.
4. A Medical Marijuana Store, Retail Marijuana Store, Medical Marijuana Transporter or Retail Marijuana Transporter must maintain a transport manifest that documents the following:
  - a. The time of delivery and the name, identification number, address of the private residence, patient registry number, if applicable, and acknowledgement of receipt of delivery by the person receiving the delivery; and
  - b. For every Regulated Marijuana delivery that could not be completed, the reason the delivery could not be completed.
5. Proof of Patient Medical Registry and Identification.
  - a. The Owner Licensee or Employee Licensee delivering Medical Marijuana to a patient or a patient's parent or guardian must first verify:
    - i. The natural person accepting the delivery has a valid registry identification card or is the parent or guardian of the patient whose registry identification card was presented;
    - ii. The natural person accepting the delivery has an acceptable form of identification demonstrating the natural person is at least 21 years of age; and
    - iii. The identification and registry identification card belong to the person receiving the delivery.
  - b. The Owner Licensee or Employee Licensee must refuse delivery of Medical Marijuana if the person attempting to accept the delivery order cannot establish all of the requirements of subparagraph (F)(5)(1)(a)(i) through (iii) above.
6. Proof of Consumer Identification.
  - a. The Owner Licensee or Employee Licensee delivering Retail Marijuana to a consumer must first verify that the natural person accepting the delivery has an acceptable form of identification demonstrating the person is at least 21 years of age and that the person is the same as the person that placed the order for delivery with the Retail Marijuana Store.

b. The Owner Licensee or Employee Licensee must refuse delivery of Retail Marijuana if the natural person attempting to accept the delivery order cannot establish all the requirements of subparagraph (F)(5)(1)(a) above.

7. Daily Delivery Limits.

a. A Medical Marijuana Store or Medical Marijuana Transporter must not deliver individually or in any combination, more than 2 ounces of Medical Marijuana, 40 grams of Medical Marijuana Concentrate or Medical Marijuana Product containing 20,000 milligrams of THC to a patient in a single business day.

b. A Medical Marijuana Store or Medical Marijuana Transporter must not deliver more than once per business day to the same patient, parent or guardian or private residence.

c. A Retail Marijuana Store or Retail Marijuana Transporter must not deliver individually or in any combination, more than 1 ounce of Retail Marijuana, 8 grams of Retail Marijuana Concentrate or Retail Marijuana Product containing ten 80 milligram servings of THC to a customer in a single business day.

d. A Retail Marijuana Store or Retail Marijuana Transporter must not deliver more than once per business day to the same customer or private residence.

8. An Owner Licensee or Employee Licensee who cannot complete a delivery order for any reason must return the Regulated Marijuana to the Medical Marijuana Store or Retail Marijuana Store from which the delivery order originated. If the Container is unopened and has not been tampered with, the Medical Marijuana Store or Retail Marijuana Store may return the Regulated Marijuana into its inventory and reconcile it with the Inventory Tracking System by the close of business that same day. Otherwise, the Regulated Marijuana must be destroyed in accordance with Rule .

H. Confidentiality of Patient and Consumer Personal Identifying Information. A Medical Marijuana Store, a Retail Marijuana Store, a Medical Marijuana Transporter, a Retail Marijuana Transporter and their respective Owner Licensees and Employee Licensees must keep all personal identifying information and any health care information obtained from patients and consumers confidential and must not disclose such personally identifiable information and any health care information to any person other than those who need that information to take, process, or deliver the order or otherwise as required by the Colorado Marijuana Code, or Title 18 or Title 25 of the Colorado Revised Statutes.

**5-105 – Medical Marijuana Store: License Privileges**

H. Medical Marijuana Store Delivery Permit. A Medical Marijuana Store with a valid delivery permit may accept delivery orders and deliver Medical Marijuana to a patient who is 21 years of age or older, or the patient's parent or guardian who is also the patient's primary caregiver pursuant to Rule 3-615. A Medical Marijuana Store that does not possess a valid delivery permit cannot deliver Medical Marijuana.

#### 5-115 – Medical Marijuana Sales: General Limitations or Prohibited Acts

- G. ~~Sales over the Internet. A Licensee is prohibited from selling Medical Marijuana, Medical Marijuana Concentrate, or Medical Marijuana Product over the internet. Any Transfer of Medical Marijuana, Medical Marijuana Concentrate, or Medical Marijuana Product must occur within the Medical Marijuana Store's Restricted Access Area. Delivery Outside Colorado Prohibited. A Medical Marijuana Store holding a valid delivery permit must not deliver Medical Marijuana to an address that is not in the State of Colorado.~~

#### 6-150 – Retail Marijuana Stores: Licensed Privileges

- G. Retail Marijuana Store Delivery Permit. Beginning January 2, 2021, a Retail Marijuana Store with a valid delivery permit may accept delivery orders and deliver Retail Marijuana to consumers pursuant Rule 3-615. A Retail Marijuana Store that does not possess a valid delivery permit cannot deliver Retail Marijuana.

#### 6-110 – Retail Marijuana Sales: General Limitations or Prohibited Acts

- E. ~~Sales over the Internet. A Licensee is prohibited from selling Retail Marijuana, Retail Marijuana Concentrate, or Retail Marijuana Product over the internet. Any Transfer of Retail Marijuana, Retail Marijuana Concentrate, and Retail Marijuana Product must occur within the Retail Marijuana Store's Restricted Access Area. Delivery Outside Colorado Prohibited. Beginning January 2, 2021, a Retail Marijuana Store holding a valid delivery permit must not deliver Retail Marijuana to an address that is not in the State of Colorado.~~
- F. ~~Purchases Only Within Restricted Access Area. A customer must be physically present within the Restricted Access Area of the Retail Marijuana Store's Licensed Premises to purchase Retail Marijuana, Retail Marijuana Concentrate, or Retail Marijuana Product.~~